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Rhode Island Library Association Bulletin

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June 1991

Patent Librarianship

BY DAWN OLIVERI

Editor's Note: In its continuing exploration of areas of special librarianship in Rhode Island, the Bulletin is pleased to present the following account of how patent librarianship functions at the Providence Public Library. Dawn Oliveri has worked extensively with the patent collection at the PPL, and offers an exploration of (1) how a patent depository works for the prospective inventor, and (2) how computer technology aids patent searches.

I. How to Use the Providence Public Library in a "Patentability" Search.

Providence Public Library is one of approximately sixty-four Patent Depository Libraries (PDLs) in the United States. As such, we are a satellite for the Patent and Trademark Office (PTO) Search Room. Patent patrons may conduct a "patentability search" at PPL, saving themselves the expense of going to Washington. Inventors may use the Library's resources to determine whether their innovation meets the three-pronged threshold for patentability. To qualify for a patent one must answer three questions before proceeding: 1) Is it useful? 2) Is it innovative? 3) Is it "unobvious"?

Library staff do not make these determinations for the patrons, but we do guide them through the process.

Over the years we have acquired a complete set of utility patents on microfilm. (We have a copy of the first patent issued, signed by Thomas Jefferson and George Washington!) To date, we have almost five million patents on film. In addition, we have plant patents with beautiful color plates depicting new strains of oranges, roses, and food crops. We have collected various "How-to" books on *pro se* patenting to assist the "true do-it-yourself" inventor.

Several patent attorneys recommend that their clients do an initial patentability search at PPL before incurring legal fees. Patent patrons often feel more comfortable about securing professional help once they understand the mechanics of the patent process.

The PTO strongly advises patentees to hire a professional, especially for drafting the patent claims section. The Library has a directory of patent professionals licensed to practice before the patent court.

If the patron finds that the patent process is not feasible, Library staff is trained to assist the patron in Trademark and Copyright application. We do not provide legal advice, nor do we make substantive decisions for the patron. We do guide the patron through the patentability and trademark searches, assisting them in an often complex but rewarding task.

Every year the PDLs meet in Washington, D.C. to discuss methods of making these valuable resources more accessible to the general public. This collection is useful not only for inventors but also as a source for corporate information, technological information and repair information. On more than one occasion, we have received urgent requests for assistance from some of our local manufacturers with old broken machinery. How can I get a replacement? Who owns the rights to this machine? In one instance by researching the original patent grant, we were able to put the mechanic in touch with the Canadian law firm who had handled the original patent application. The firm had also dealt with licensing agreements, and finally, when the inventor died, it handled the disposition of the estate.

Intellectual property protection is often seen as a mainstay of a technologically fertile industrial society. With this in mind, the PTO is encouraging PDLs to develop outreach and awareness programs within their community. At the conferences, we try to develop

methods to meet this mandate. PPL has sent a delegate to every conference of the PDLs since they began.

In celebration of its Bicentennial, this year's Patent and Trademark Conference was filled with all types of special activity. We heard speakers on the role of the Patent Depository Libraries in the 21st century. Eventually we will have access to full-text patents on CD-ROM. We were told that the Patent Depository System will be playing an expanded role in the dissemination of patent and trademark information. The ultimate goal will be for the PDL's to help nurture technological innovation by publicizing the resources available to the general public. Libraries will be expected to coordinate more outreach programs and activities aimed at the elementary and high school student.

The PDL reps also met in regional groups to discuss methods of dealing with everyday issues in patentability searching. PPL is an innovator in that we accept patent orders by fax and offer a 24-hour return service for a nominal fee. This service has been well received by our corporate patent patrons in particular.

The conference is always helpful in assisting PDLs to adapt to the ever increasing demand for corporate and technological information.

II. Patent Searches and CD-ROM.

One of the major conveniences enhancing a patent search is the recent introduction of CASSIS-CDROM (Classification and Search Support Information System). Twenty years ago a visitor to a PDL had to comb annual paper indexes to confirm patentability. Each index is arranged by subject and patentee. An inventor would cull lists of potential conflicts from each year and then retrieve paper copies of the patents. Eventually these paper patents were microfilmed, given subject headings and classification numbers, and the corresponding patent numbers were microfilmed in tidy lists. The prospective patentee would then look at microfilmed patents and update the microfilm lists with the current year's paper patents. This was a tedious, time-consuming task. The microfilm lists were hard to read, the copies expensive, and the paper patents, a librarian's nightmare, were unwieldy.

In the early eighties, the PDLs went online with a computerized database for generating these search lists. Patrons would locate numeric subject classifications from paper manuals with the aid of microfiche definitions, and a librarian would go online, plug in the numbers, and the system would compile a list of corresponding patent numbers. The patron would, list in hand, read through each microfilmed patent, checking the claims granted against his own. The system was awkward in that the fiche was full of technical jargon. Matching a definition often required backtracking through a maze of hierarchical terms. The hardest part of the search was often the verbalization

of an idea into precise terms. Another troublesome aspect of the online search was the expense and unreliability of depending on long distance hookups and mastering an awkward command system which intimidated the general public. Thus it became necessary to maintain a policy restricting usage to trained staff only.

As the system evolved, communication through modems became more reliable, and increasingly more information was added to the lists to streamline the process. However, it still remained expensive, and the PTO actively pursued a mandate to disseminate the information on a wider scale by adding more libraries to the PDL network. In a time of budgetary cutbacks, the PTO looked for more expedient and less expensive ways to make the information available to the general public.

CASSIS-CDROM became available to the PDL network on a nationwide basis in 1989. The initial costs for the hardware were prohibitive for some public libraries; therefore, the PTO made arrangements to loan equipment to many of the sites. The system on loan to Providence Public consists of a NED CD-ROM Reader CDR-80 with a Magnavox Professional monitor and a Citizen 180D printer. An annual subscription fee covers the licensing fees for the program.

The online service was discontinued in December, 1990, as the "bugs" were worked out, and the CD product became fully integrated into the PDL system. The CD improved the quality of search time by making it possible to add more information to every entry. No longer do pages and pages of meaningless numbers stare ominously back at the confused searcher. The lists now contain a wealth of information in and of themselves. By adding titles, assignee information, dates, and abstracts to many of the records, the PTO has dramatically reduced the time and frustration of past searching techniques.

The original lists gave only a patent number attached to a broad subject category; it now gives, in a few screens, much of the information necessary to eliminate potential conflicts. The screens are colorful, the program user-friendly, and the information timely, truly a welcome improvement over the scratchy fiche of the past with its pencilled-in arrows and crossed-out definitions. In addition, although the introduction is labor-intensive, it is a time-saver for the librarian because it no longer requires the involvement of a professional staff member at every step of the search. Recently, for instance, a group of innovative sixth grade students used the system with great enthusiasm to conduct patentability searches for their "Invention Convention."

Another innovation is the system's ability to perform key word searches. One of the tribulations of the old system was zeroing in on an appropriate subject classification. Now, in a few keystrokes, this can be

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accomplished by running a search in Title TITLE or Abstract ABSTRACT mode. If a searcher knows that her idea is conceptually similar to another, she can key in that patent number and use its classification to generate a potential search list. Each entry is keyed with multiple classification cross-references to enhance thorough searching.

Persons not necessarily interested in securing patent protection may also find the CASSIS-CDROM system useful to their research. For example, an interviewee might want to discover in advance what kinds of patents his prospective employer holds. This may be searched in both the Patentee PATENTEE and Assignee ASSIGNEE fields. An inventory already owning a patent might use these same fields to reference prospective customers. Or idle curiosity might make one ask how many people named Smith or how many people listing a specific zip code received patents.

The PDL librarians meet every year to discuss ways to improve the system to make this valuable source of technological information more accessible and to aid in technological innovation. In 1990, the Patent and Trademark Depository Library Association informed its membership of its intent to make full text patents available on CD-ROM. This would, once again, reduce the time involved in a patentability search, since the entire process would be integrated into one station. With budgetary constraints at all levels of funding, the problem of subsidizing a suitable number of workstations becomes formidable. The current bibliographic CASSIS-CDROM system has become so popular that it often becomes necessary to enforce time limits. If the patents are available on CD, then additional workstations would become essential.

In the meantime, the PTO has worked to enhance the existing capabilities. The welcome addition and dramatic impact of CASSIS-CDROM even in its infancy has enhanced the PDL delivery of service. The project has demonstrated the truism that a successful product, the CD, finds a need and then fills it.

Suggested Reading:

David Pressman, *Patent it Yourself*, Nolo Press, 1990. (608.1P935p)

This book is so helpful and so well-written that PPL suggests it to beginning patentees as a matter of course. Chapter I is an excellent overview of intellectual property protection. Pressman explains the advantages and disadvantages of invoking statutory protection and the alternatives available. This book should be "required reading" for every tinkerer.

Steven Lubar, "New, Useful, and Nonobvious," *American Heritage of Invention & Technology*, Spring/Summer 1990, Vol. 6, No. 1, at 8-16.

Overview of the history and process of patenting written by the curator of engineering and industry at the

Smithsonian Institution's National Museum of American History. This lively article contains an interesting and unique section on the 18th and 19th century morality test for patent grants. Lubar quotes Justice Story's determination that a patent should not "hurt society - should not be 'injurious to the well-being, good policy, or sound morals of society.'"

Ethlie Ann Var, *Mothers of Invention: from the bra to the bomb, forgotten women and their unforgettable ideas*, NY: Morros, 1988. (609.V292m)

A timely book on the contributions of women to innovation. Entries include information on the true inventor of the cotton gin, the discoverer of nuclear fission and co-discoverer of DNA to name just a few. The author contends that "anyone who reads *Mothers of Invention* will agree that the hand that rocks the cradle ... probably designed and built it as well."

The library also has copies of the PTO *Bibliography of Minority Inventors*, Richard Gausewitz's *Patent Pending* and Richard Levy's *Inventing & Patenting Sourcebook*.

Dawn Oliveri is a law librarian at Hinckley, Allen, Snyder, and Comen. Previously, she served as Senior Reference Librarian, with specialties in patents and business sources at the Providence Public Library.

Part I of her essay appeared previously in the Newsletter of the PPL, July-August, 1990.

BULLETIN BOARD

During the Rhode Island Governor's Conference on Libraries and Information Services held in March, four delegates to the White House Conference on Libraries and Information Services were elected. They are: ROBERTA A.E. CAIRNS (representing Library Professionals); ROSE ELLEN REYNOLDS (representing Library Supporters); ROBERT SCHNARE (representing Government Officials); and MAHLER RYDER (representing the General Public). In addition, four alternates were elected. They are RICHARD OLSEN (Library Professionals); WIL GATES (Library Supporters); BARBARA TUFTS (Government Officials); and MARY SMITH (General Public). The White House Conference will be held in Washington, DC on July 9-13.

Copies of the resolutions adopted at the Rhode Island Governor's Conference are available from the Reference Department at the Department of State Library Services (277-2726).

A New England Caucus will take place at the American Library Annual Conference in Atlanta. The Caucus is scheduled for Monday, July 1, 5:30 - 6:30 p.m., at the Comfort Inn (NELA's conference hotel). It's a relaxed time for ALA councilors, committee per-

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—*Ralph Crandall, Director
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—*Judith Austin, Idaho Historical Society*

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sons, observers, and newcomers to New England to get together to share their perspectives on library news of the day, to discuss events that affect New England ... or just to come and see old friends.

The room number in which the Caucus will be held will be posted in the lobby of the Comfort Inn on the day of the meeting.

CLSI, Inc. announced its first sale of an Innovacq system from Innovative Interfaces, Inc. has been signed with Bryant College, Smithfield, Rhode Island. The automation project includes a system upgrade to a Unix-based system, the S27 Sequent machine, and the implementation of CLSI's online catalog, CL-CAT.

Bryant College is the first CLSI library to install the total Innovacq system for both acquisitions and serials under the terms of the alliance between Innovative Interfaces, Inc. and CLSI. The Hodgson Memorial Library at Bryant College will download order and serials records from an Innovacq communications port to a Unix port on CLSI's LIBS 100 system. The serials records and the on-order status of records will be reflected in the online catalog.

The Alumni Association of the Simmons College Graduate School of Library and Information Science is publishing a 1991-1992 Alumni Directory for public usage. As a viable resource guide, the Alumni Directory will facilitate the process of locating colleagues, new employees, jobs, and those librarians who are specialists in certain areas.

The directory will be a quality, soft-cover edition with alphabetical, class, geographical, and type of librarian indexes (academic, public, school, and special). Cost is \$31 per book.

To obtain a directory, send a check or money order, payable to CSLIS Alumni Association, to Diane Hammer, Simmons College, Alumnae Office, 300 The Fenway, Boston, MA 02115. To charge a directory (or directories) on a VISA or Mastercard, please call Diane Hammer at (617) 738-2125.

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C A L E N D A R

JUNE 21: RHILINET Committee Meeting, Cranston Public Library 2:00 p.m.

JUNE 29-JULY 4: ALA Annual Conference, Atlanta, GA.

JULY 9-13: White House Conference on Libraries & Informational Services, Washington, D.C.

AUGUST 8-9: "Counterparts" Sessions at Salve Regina College, Newport. Officers and Committee Chairs of the New England states meet to discuss common areas of concern.

SEPTEMBER 29-OCTOBER 1: New England Library Association, Hyannis, MA

NOVEMBER 4: RILA Fall meeting.

P E O P L E

ELIN HANNIGAN CROWLEY recently was appointed Head Librarian at the Clark Memorial Library in Richmond. She had been Interlibrary Loan Librarian at CCRI's Knight Campus.

NORMAN DESMARAIS, Acquisitions Librarian at Providence College, presented a paper on emerging trends in optical publishing at the Computers in Libraries International Conference and Exhibition held at the Wembley Conference Centre in London. Norman also edited *CD-ROM Local Area Networks: a User's Guide*, recently published by the Meckler Corp. Norman will present a workshop on networking CD-ROMs in the Boston area on June 5. His *CD-ROMs in Print, 1991: an International Guide* was recently published in both paper and CD-ROM formats.

BRUCE DANIELS, Director of the Department of State Library Services will be leaving DSLS on June 21st to begin a new job in Syracuse, New York. Bruce has been appointed Director of the Onondaga County Library System, a public library system comprised of 20 member libraries serving a population of 463,320. He also will be chief administrator of the central library in the system, the Onondaga County Public Library which has a collection of over 1 million volumes, has eight branches, and employs over 200 persons.

CAROL FELINO is the new Children's Librarian at the East Providence Public Library. She had been employed in the same capacity at the North Providence Union Free Library.

KATHRYN RYAN, Children's Librarian at Newport Public Library, attended an Institute in Evaluation Strategies and Techniques for Public Library

Children's Services at the University of Wisconsin-Madison-School of Library and Information Studies from May 20-May 24.

JOHN FAY is serving as Reference Librarian at the Statehouse Library. With an extensive background in philosophy, John has taught literature, writing and philosophy at various institutions in the New Haven area. John received his M.L.I.S. from URI in May of 1990. He will be assuming the Managing Editorship of the *Bulletin* this summer.

Welcome New Members!

PATTI ANNE ARKWRIGHT, Children's Librarian, Narragansett Public Library

ALEXANDRA P. BESWICK-COUTURIER, Adult Services/Reference, Cumberland Public Library

NANCY F. CHUDACOFF, Attorney, Edwards and Angell

PATRICIA ANN CRAWFORD, Graduate Student, URI/GSLIS

JANE A. COLOMBO, Library-tech, Narragansett Public Library

CHRISTINE DANIELI, Reference Librarian, U.S. Naval War College Library

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BARBARA S. HERZOG, Library Relations Representation, H.W. Wilson

KATHLEEN P. LEONARD, Graduate Student, URI/GSLIS

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able from Dorothy Hartshorn, A&F Mailing Service, 1655 Elmwood Avenue, Cranston, 02910, and by phone, 781-1440.

RILA members should note that A&F Mailing Service has been employed by RILA for some time, and that they have been good friends to libraries. They also occasionally read the *Bulletin*!

Take Note! New England Library Association Annual Conference

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For more information, call Mary Ann Ruport,
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EDITOR'S NOTEBOOK

(from back cover)

be alone ... libraries breathe peace ... it's like having a home ... librarians are nice ... libraries are fundamental social institutions ... libraries are an exquisite expression of the human spirit and its yearning to find itself ... libraries are the epitome of true democracy."

I was proud of all of us that day: proud of library spokesperson and "emcee" *extraordinaire*, Vicky Lederberg, Cumberland library trustee Bill Allen, of Assistant University Librarian Florence Doksansky, proud of the young people, especially one named Bruce, of URI's Liz Futas, and of course, of Virginia Peckham whose stirring oratory left me standing and cheering. (How about Peckham for Governor?!)

On behalf of the entire library community, I especially thank Jim Giles, John Fox Cory, and Beth Watson Sousa for their indefatigable efforts in producing a library rally of extraordinary quality.

When there are so many days we are bogged down in the essentials of life, it makes sense to stop for an hour and say what we think, feel, and believe. I think that a lot of us walked away from the State House that day with lighter hearts and spirits. We really owe it to ourselves to do this kind of thing more often!

EDITOR'S NOTEBOOK

On the morning of May 15, my sister, visiting Rhode Island from California, reminded me of the words from an old hymn. "Lead on, O King Eternal, the day of march has come."

Those words were a stirring start to a day that would bring many words, images, and feelings into my consciousness.

Later that morning, a repairman stopped by the house to check some equipment. When he saw my stack of handouts broadcasting "Rally for Library Funding," his eyes lit up. "Are you a librarian, Mrs. Paster?" he exclaimed.

The outpouring of enthusiasm and knowledgeability about libraries that my assent elicited almost defied belief. From his use of *Samm's Photo Facts*, available only at the Providence Public Library, to his use of inter-library loan which enabled him to use a copy of Ovid's *Metamorphoses* from Brown's collection, to his use of a computer text borrowed from the University of Connecticut, Paul LaVoie, of East Providence, exemplifies what libraries mean in the lives of America's citizens.

"Moreover," he added, "You're always so nice to me. Whatever question I ask sets the librarians scurrying around to answer it!"

Had I known of Paul's enthusiasm for libraries and his ability to articulate that enthusiasm, I would surely have suggested his name as a potential speaker for the Rally for Libraries. He would have joined speakers from every walk of life, for whom libraries are an essential human service.

The natural eloquence of the speakers that day astonished and inspired me. I jotted down some of the phrases I heard, though they kept coming at such a rate, I could just barely scribble a few down! "A library is not expensive; it's priceless ... it feels good to be in a library ... the library gives me a place to

(continued on page 7)



Photograph by William W. Bishop, Cross Mills Public Library.

The RILA BULLETIN is published nine times per year by the Rhode Island Library Association. Managing Editor: Judith Paster, 52 Seaview Avenue, Cranston, RI 02905 (467-8898); Feature Editor: Norman Desmarais, Providence College, Phillips Memorial Library, Providence, RI 02918 (865-2241); News Editor: Frank Iacono, DSLS, 300 Richmond Street, Providence, RI 02903-4222 (277-2726); Jobline: Pam Stoddard, Government Documents Department, URI Library, Kingston, RI 02881 (792-2606); Advertising Manager: Elizabeth Johnson, Cranston Public Library, 140 Sockanosset Cross Road, Cranston, RI 02920 (943-9080); Subscriptions Manager: John Bucci, William Hall Library, 1825 Broad Street, Cranston, RI 02905 (781-2450). A current list of RILA Executive Board members and Committee Chairs is available in Volume 64, No. 1-2. Subscriptions: free to members; \$15/year in U.S.; \$20/year foreign. Deadlines: 1st of the month for features and 15th of the month for everything else. Advertising: \$130 full page; \$65 half page; \$40 quarter page; \$15 business card size. Change of address: members contact the Membership Committee Chair, Donna Roberts, 1503 Middle Road, East Greenwich, RI 02818 (885-3174). Subscription correspondence: contact Subscriptions Manager. For further information, contact the appropriate Editor. Technical Production: Verbatim, Inc., 769B Hope Street, Providence, RI 02906 (273-6930). Printing by Lewis Graphics, 636 Park Avenue, Cranston, RI 02910 (941-7540). LC 57-26438.

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